

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FILED ON: May 7, 2008

FILE NO.: INDEX NO.: 08 CIV 4322

TRUSTEES OF THE TEAMSTERS LOCAL 466 PENSION, HEALTH & WELFARE, ANNUITY,  
EDUCATION & TRAINING, S.U.B., INDUSTRY ADVANCEMENT AND LEGAL SERVICES FUNDS, ET AL,

Plaintiff(s) - Petitioner(s)

BARRIER MOTOR FUELS, INC., f/k/a BARRIER OIL CORP., ET AL,

Defendant(s) - Respondent(s)

STATE OF NEW YORK

COUNTY OF WESTCHESTER

I, Michael Whyte being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.

On June 9, 2008 at 12:46 PM

Deponent served the within SUMMONS IN A CIVIL ACTION &amp; COMPLAINT

upon WAYNE JEFFERS, DEFENDANT

at address: 20 Beech Lane

City &amp; State: Tarrytown, NY 10591

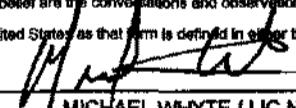
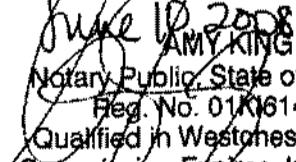
MANNER OF SERVICEINDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient therein CORPORATION a corporation, by delivering thereto a true copy of each to personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be  thereofSUITABLE AGE by delivering thereto a true copy of each to Said premises is recipient's a person of suitable age and discretion.PERSON  AFFIXING TO by affixing a true copy of to the door of said premises which is recipient's DOOR, ETC. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereto, having called there. Deponent talked to premises who stated that recipient MAILING TO  
RESIDENCE Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed to recipient at recipient's last known residence, at Use with 3 or 4 and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. MAILING TO  
BUSINESS Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed to recipient's actual place of business, at Use with 3 or 4 in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient. DESCRIPTION Deponent describes the person actually served as: Sex: MALE Skin Color: WHITE SKIN Hair Color: GRAY HAIR  
Approx. Age: 51-65 YRS. Approx. Height: 5'9"-6'0" Approx. Weight: 161-200 LBS.

Other identifying features:

WITNESS FEES: \$ authorizing traveling expenses and one day's witness feeMILITARY I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations aboveSERVICE I declared. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in

the Federal Statutes.

Sworn before me on

 MICHAEL WHYTE / LIC.NO. 1264544  
July 10, 2008  
AMY KING  
Notary Public, State of New York  
Reg. No. 01K06149419  
Qualified in Westchester County  
Commission Expires July 10, 2010